

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

#311
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4/13/04
270

PATENT APPLICATION

Dan Anthony Balogh
John K Burgess
T Roger Kiang
Stanley Vitebsky

Case Name/No. Balogh 4-4-18
Serial No: 09/728043
Filing Date: December 1, 2000
Group Art Unit: 2686
Examiner: N. Ly

MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RECEIVED

APR 08 2004

Technology Center 2600

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR § 1.114

SIR:

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of application Serial No. 09/728043 filed on December 1, 2000 entitled Supplemental Channel Sharing Algorithm

NOTE: 37 CFR § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a Continued Prosecution Application (CPA) under 37 CFR § 1.53(d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **SUBMISSION REQUIRED UNDER 37 CFR § 1.114**

- a. ☐ *Previously Submitted*
- i. ☐ Consider the amendment/reply under 37 CFR § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ *Enclosed*
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other 3 Sheets Replacement Drawings

04/06/2004 HGBREM1 00000066 122325 09728043

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I hereby certify that this correspondence is being deposited with the United States Postal Service in first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC, 20231, on Alexandria, VA 22313

Margaret Cardozo
Signature

April 2, 2004

Date of Signature + Mailing

PT 975A (10/01)

Page 1 of 2

2. MISCELLANEOUS

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ month(s).
(Period of suspension shall not exceed 3 months. Fee under 37 CFR § 1.17(i) required.)
- b. ☐ Other _____

3. FEES


- a. ☒ The Director is hereby authorized to charge the following fees to **Lucent Technologies Deposit Account No. 12-2325**.
- i. ☒ RCE fee required under 37 CFR § 1.17(e) - **\$770.00**
- ii. ☐ Other - _____

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error. Duplicate copies of this letter are enclosed.

The Commissioner is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR § 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Please address all correspondence to **Docket Administrator (Room 3J-219), Lucent Technologies, Inc., 101 Crawfords Corner Road, Holmdel, New Jersey 07733-3030**. However, telephone calls should be made to me at **973-386-6377**.

Respectfully,


Jimmy Goo
 Attorney for Applicant(s)
 Reg. No.: **36528**

Date: April 2, 2004

Lucent Technologies Inc.
 101 Crawfords Corner Road
 Room 3J-219
 Holmdel, New Jersey 07733-3030